



John M. Palmeri

PARTNER

Denver

303.534.5145

jpalmeri@grsm.com

RELATED SERVICES

- Professional Liability Defense
- Construction
- Pharmaceutical & Medical Device
- Trial Practice
- Commercial Litigation
- Healthcare
- Employment

OFFICES

- Denver
- Laramie

OVERVIEW

John Palmeri is a partner in the Denver office. John handles complex civil litigation including the defense of professional malpractice lawsuits against lawyers, physicians, directors, officers, architects and engineers. John is the firm's professional liability practice group leader. He has tried dozens of cases to verdict in federal and state courts. He has secured several multi-million dollar settlements and judgments for his clients. In addition to his trial practice, John has argued precedent-setting cases in federal and state appellate courts.

REPRESENTATIVE EXPERIENCE

John has tried dozens of cases to verdict or judgment. Examples of his extensive range of experience include the following:

- **Commercial Litigation**Handled business litigation matters including contract disputes, buy/sell agreements, non-compete agreements and operating agreements. Trials and arbitrations of business disputes. Counsel of record in leading Colorado case regarding successor corporations.
- **Legal Malpractice**Represented hundreds of lawyers, including large law firms and high profile attorneys. Tried over a dozen legal malpractice cases to jury verdict. Argued precedent setting cases in Colorado appellate courts. Past chair of Colorado Bar Association Lawyers' Professional Liability Committee.
- **Medical Malpractice**Defended hundreds of cases in all areas of medicine. Tried cases involving catastrophic injuries and wrongful death. Lead counsel in precedent setting case in Supreme Court of Colorado regarding scope of discovery in medical negligence cases.
- **Directors & Officers**Represented directors and officers in a broad array of matters including a high profile case involving non-profit corporation established by best selling author. Represented entities and individuals regarding fiduciary relationships and duties.
- **Employment**Represented employers in administrative and court proceedings through trial in federal court. Defended employers in high profile cases involving allegations of gender discrimination, equal pay and wrongful termination.
- **Construction**Advised construction companies regarding construction contracts. Lead counsel in litigation and subsequent arbitration involving multi-party homeowner dispute against well known plaintiff's attorney. Represented clients in commercial, industrial and residential construction matters.
- **Architects & Engineers**Represented architects and engineers in disputes through mediation, arbitration and trial.
- **Financial Institutions**Represented banks and other financial institutions in litigation in federal and state courts. Argued leading case in federal court regarding lender liability under Colorado Consumer Protection Act.
- **Insurance**Handled most lines of insurance disputes. Tried insurance bad faith cases involving multi-million dollar claims.
- **Expert**Retained as an expert on lawyer liability, lawyer ethics, attorney fees, insurance and insurance bad faith. Testimony in deposition and in court.

Selected Opinions

Mr. Palmeri has been counsel of record in over fifty reported cases. The following are representative of his experience:

- *Herrera v. Santangelo Law Offices, P.C.*, 520 P.3d 698 (Colo. App. 2022) (Legal malpractice)
- *Froid v. Zacheis*, 494 P.3d 673 (Colo. App. 2021) (Legal malpractice)
- *Naabani Twin Stars, LLC v. Travelers Companies, Inc.*, 497 F.Supp.3d 1011 (D.N.M. 2020) (Insurance)

- *Residences at Olde Town Square Ass’n v. Travelers Cas. Inc. Co. of Am.*, 430 F.Supp.3d 743 (D. Colo. 2019) (Insurance)
- *CGC Holding Co., LLC v. Hutchens*, 773 F.3d 1076 (10th Cir. 2014) (Class action)
- *Genberg v. Porter*, 935 F.Supp.2d 1094 (D. Colo. 2013) (Legal malpractice)
- *Cedar Street Venture LLC v. Judd*, 256 P.3d 687 (Colo. 2011) (Legal malpractice)
- *RK Mechanical, Inc. v. Travelers Property Casualty Company*, 944 F.Supp.2d 1013 (D. Colo. 2011) (Insurance)
- *Alpine Bank v. Hubbell*, 555 F.3d 1097 (10th Cir. 2009) (Lender liability)
- *Reutter v. Weber*, 179 P.3d 977 (Colo. 2007) (Medical malpractice)
- *TMJ Implants, Inc. v. Aetna, Inc.*, 498 F.3d 1175 (10th Cir. 2007) (Business disparagement)
- *Stauffer v. Stegemann*, 165 P.3d 713 (Colo. App. 2006) (Legal malpractice)
- *Washburn v. Thomas*, 37 P.3d 465 (Colo. App. 2001) (Real estate)
- *Frontier Refining, Inc. v. Gorman-Rupp Company, Inc.*, 136 F.3d 695 (10th Cir. 1998) (Product liability)
- *Broadview Financial, Inc. v. Entech Management Services Corporation*, 859 F.Supp. 444 (D. Colo. 1994) (Securities)
- *McGee v. Hyatt Legal Services, Inc.*, 813 P.2d 754 (Colo. App. 1990) (Legal malpractice)
- *Florum v. Elliott Manufacturing Co.*, 867 F.2d 570 (10th Cir. 1989) (Successor corporation)
- *Spencer v. Kemper Investors Life Ins. Co.*, 764 P.2d 408 (Colo. App. 1988) (Insurance)
- *Millers Mutual Ins. Ass’n v. Iowa National Mutual Ins. Co.*, 618 F.Supp. 301 (D. Colo. 1985) (Insurance)

PUBLICATIONS

John has published articles in the law reviews of the University of Denver and the University of Wyoming and is a contributing author to *The Colorado Lawyer*. His articles include:

- *Colorado Expands Litigation Privilege in Class Action Cases*, Vol. 52, No. 10, Colo. Law. (2023)
- *Til Death Do Us Part: The Attorney-Client Privilege and the Duty of Confidentiality after a Client’s Death*, Vol. 50, No. 3, Colo. Law. 15 (2021)
- *Loose Lips Still Sink Ships: Avoiding Professional Liability Pitfalls in the Modern Communication Age*, GRSM Legal Education Conference, New York and Hartford (May 2018)
- *Defending Transaction – Based Professional Negligence Cases*, Vol. 6, Issue 1, *Professional Liability Defense Quarterly* (2014)
- *Better Deal or No Deal: Causation in Transactional Malpractice Cases*, Vol. 42, No. 12, Colo. Law. 51 (2013)
- *How to Limit Legal Malpractice Exposures in a Challenging Economy*, Law Week Colorado (August 9, 2010)
- *In-House Counsel and the Attorney-Client Privilege*, In-House Defense Quarterly (Winter 2008)

- *Application of the Traditional “Case Within A Case” Standard to Transactional Legal Malpractice Claims*, For the Defense (March 2008)
- *Beyond The Client: The Protection of the Corporate Attorney-Client Privilege*, Vol. 35, No. 6 Colo. Law. 31 (2006).
- *Privileges and Confidentiality, Lawyers’ Professional Liability in Colorado*, Continuing Legal Education in Colorado, Inc. (2005)
- *Protecting Your Law Practice: Malpractice Insurance Basics*, Vol. 34, No. 4 Colo. Law. 45 (2005)
- *Getting Hitched: Confirming the Attorney/Client Engagement*, Vol. 32, No. 1 Colo. Law. 37 (2003)
- *Implied Waiver of the Attorney-Client Privilege: Does It Work Or Is It Guesswork?*, Defense Library Series (2002)
- *Work Product in Subsequent Litigation: The Tenth Circuit Enters the Fray* Vol. 27, No. 7 Colo. Law. 79 (1998)
- *Curbing the Erosion of the Attorney-Client Privilege*, For the Defense (July 1998)
- *The Continuing Vitality of The Economic Loss Rule*, 33 Univ. of Wyo. Law Rev. 757 (1996)
- *Protecting the Professional: Contribution Bar Orders in Securities Cases*, Vol. 24, No. 4 Colo. Law. 775 (1995)
- *Consortium Claims Involving Children: Should Colorado Continue An Archaic Concept or Confront a Faulty Cornerstone?*, 69 Den. Univ. Law Rev. 481 (1992)

PRESENTATIONS

John is a frequent lecturer and has spoken to numerous audiences, including the following organizations:

- American Board of Trial Advocates
- American Bar Association
- Colorado Bar Association
- Colorado Defense Lawyers Association
- Colorado Association of Corporate Counsel

CREDENTIALS

Admissions

- Colorado
- Wyoming
- U.S. Tenth Circuit Court of Appeals
- U.S. District Court, District of Colorado
- U.S. District Court, District of Wyoming

Memberships

- American College of Trial Lawyers
 - State Committee
- American Board of Trial Advocates (ABOTA)
 - Masters in Trial
- Federation of Defense and Corporate Counsel
- Faculty of Federal Advocates
- Colorado Bar Association
 - Professional Liability Committee (Chair 2001-05)
- Colorado Defense Lawyers Association
 - Past President
 - Professionalism Award
- Colorado Supreme Court
 - Civil Rules Committee
- United States District Court
District of Colorado
 - Committee on Conduct

Education

- J.D., University of Denver,
 - Member, *Law Review*
 - Hoffman Cup Award
 - William F. Doyle Award
 - Barristers Cup Award
- B.A., Columbia University
 - NACOMS Senior Honor Society

Honors

- *Super Lawyers*® in the fields of Professional Liability: Defense, Business Litigation, Civil Litigation: Defense (2006-2024)
- *Super Lawyers*®, Top 10 Attorneys in Colorado (2014, 2023)
- *Super Lawyers*®, Top 100 Attorneys in Colorado (2012-2024)
- *Super Lawyers*®, Top 50 Attorneys in Colorado (2010, 2011)

- *Law Week Colorado* Barrister's Best, 2014 and 2020
- *Best Lawyers in America*® "Lawyer of the Year," Denver Legal Malpractice Law – Defendants (2016, 2018, 2021), Professional Malpractice Law -Defendants (2014), Professional Liability (2012)
- *Best Lawyers in America*® distinction in Legal Malpractice Law – Defendants (2011-2025), Professional Malpractice Law – Defendants (2013-2025), Healthcare Law (2014-2025), Medical Malpractice Law – Defendants (2014-2025), Commercial Transactions/UCC Law (2017-2025)
- *5280 Magazine*, Top 50 Attorneys in Colorado
- Top Rated Lawyer-AV® Preeminent™, Martindale-Hubbell